

1st Sub. H.B. 228

AMENDMENTS TO MOTOR VEHICLE PROVISIONS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

FEBRUARY 15, 2008 2:59 PM

Representative **Christopher N. Herrod** proposes the following amendments:

1. *Page 1, Line 19:*

19 suspended, revoked, or disqualified; ~~{and}~~

► prohibits the division or any peace officer from seizing and taking possession of a motor vehicle if the operator of the vehicle is not carrying evidence of the operator's privilege to operate a motor vehicle in the vehicle unless the division or peace officer verifies through the Utah Criminal Justice Information System that the operator has not been granted the privilege to operate a motor vehicle or the operator's driving privilege has been denied, suspended, revoked, or disqualified;

2. *Page 2, Lines 37 through 52:*

37 (1) **(a)** The division or any peace officer, without a warrant, may seize and take possession
38 of any vehicle, vessel, or outboard motor:

39 ~~{(a)}~~ **(i)** that the division or the peace officer has reason to believe has been stolen;

40 ~~{(b)}~~ **(ii)** on which any identification number has been defaced, altered, or obliterated;

41 ~~{(c)}~~ **(iii)** that has been abandoned in accordance with Section 41-6a-1408;

42 ~~{(d)}~~ **(iv)** for which the applicant has written a check for registration or title fees that has not
43 been honored by the applicant's bank and that is not paid within 30 days;

44 ~~{(e)}~~ **(v)** that is placed on the water with improper registration; or

45 ~~{(f)}~~ **(vi)** that is being operated on a highway:

46 ~~{(i)}~~ **(A)** with registration that has been expired for more than three months;

47 ~~{(ii)}~~ **(B)** having never been properly registered by the current owner; ~~[or]~~

48 ~~{(iii)}~~ **(C)** with registration that is suspended or revoked[-];

49 ~~{(iv)}~~ **(D) subject to the restriction in Subsection (1)(b):**

(I) by a person who has not been granted the privilege to operate a motor vehicle on a
50 highway in accordance with Section 53-3-202; or

51 ~~{(v)}~~ **(II)** by a person whose privilege to operate a vehicle on a highway has been denied,
52 suspended, revoked, or disqualified.

(b) The division or any peace officer may not seize and take possession of a motor vehicle under Subsection (1)(a)(vi)(D) if the operator of the vehicle is not carrying evidence of the operator's privilege to operate a motor vehicle on the highways in this state unless the division or peace officer verifies through the Utah Criminal Justice Information System maintained by the Department of Public Safety that the operator is not operating the vehicle in violation of the provisions described in Subsection (1)(a)(vi)(D).

